

Message Text

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17

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OMB-01 SAM-01

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R 081201Z JUL 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 7177

INFO SECDEF WASHDC

JCS WASHDC

CINCPAC HONOLULU

CINCPACAF

CINCPACFLT

CINCPACREPPHIL SUBIC

CG 13TH AF CLARK

C O N F I D E N T I A L MANILA 9918

CINCPAC ALSO FOR POLAD

FROM USDEL 96

E.O. 11652: GDS

TAGS: MARR, RP

SUBJECT: PHILIPPINE BASE NEGOTIATIONS: OFFICIAL SUMMARY RECORD

7/6/76

TRANSMITTED BELOW IS THE OFFICIAL SUMMARY RECORD FOR
THE NEGOTIATING SESSION OF JULY 6, 1976.

QUOTE: THE SESSION OPENED AT 9:30 A.M. FOLLOWING A TWO-
DAY RECESS TO OBSERVE PHILIPPINE-AMERICAN FRIENDSHIP DAY
AND THE 200TH ANNIVERSARY OF U.S. INDEPENDENCE. THE
PANELS AGREED THAT THE WORKING GROUPS WOULD CONVENE AT
3:30 P.M. OR AS SOON AS THE BUSINESS OF THE MORNING
PLENARY WAS COMPLETED.

"AMBASSADOR SULLIVAN NOTED THAT A TIMETABLE FOR THE
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BUSINESS OF THE TALKS WOULD BE USEFUL, AND OFFERED THREE

OBSERVATIONS ON THE PHILIPPINE DRAFT SCHEDULE SUBMITTED JULY 3. THESE WERE (1) THAT THE TIMETABLE WOULD SERVE MERELY AS A GUIDE FOR THE NEGOTIATIONS AND SHOULD NOT BE CONSIDERED AS BINDING TO THE PANELS AND THE WORKING COMMITTEES; (2) THE SUGGESTION THAT ARTICLE XIX OF THE PHILIPPINE DRAFT COULD BE CONSIDERED BY THE CHAIRMEN EARLIER THAN LISTED IN THE PHILIPPINE DRAFT; AND (3) THAT THE U.S. PANEL HAD SEVERAL OTHER SLIGHT MODIFICATIONS IN THE SCHEDULE. THE PHILIPPINE PANEL AGREED TO THE MODIFICATIONS MADE BY THE U.S. PANEL WITH THE UNDERSTANDING THAT THE SCHEDULE WOULD BE FLEXIBLE REGARDING WHEN A GIVEN ARTICLE WOULD BE CONSIDERED.

THE TWO PANELS HEARD A PROGRESS REPORT FROM THE CHAIRMEN OF THE FACILITIES WORKING GROUP--SENATOR PELAEZ AND MR. BARRINGER--OUTLINING THE AREAS OF AGREEMENT AND DIFFERENCE ON ARTICLE II, USE OF FACILITIES, WITH A VIEW TO ELICITING FURTHER GUIDANCE FROM THE TWO PANELS ON THOSE ISSUES WHERE SUCH GUIDELINES APPEARED NECESSARY. PARTICULAR PROBLEMS NOTED INCLUDED THE DESIRE OF THE PHILIPPINE SIDE TO INCLUDE THE WORDS "FOR MILITARY PURPOSES" IN DESCRIBING THE USE OF THE FACILITIES, AND THE DESIRE OF THE U.S. SIDE TO USE THE WORDS "CONSULTATION WITH THE PHILIPPINE GOVERNMENT" RATHER THAN "PRIOR CONSENT OF THE PHILIPPINE GOVERNMENT" IN SETTING THE CONDITIONS GOVERNING THE USE OF THE BASES INVOLVING COMBAT OPERATIONS. SENATOR PELAEZ STATED THAT THE PHILIPPINE PANEL'S INSTRUCTIONS ARE THAT THE USE OF THE FACILITIES SHOULD BE "FOR MILITARY PURPOSES"; OTHERWISE, THE MATTER WOULD NOT BE WITHIN THE AUTHORITY OF THE PANEL BUT COULD PERHAPS PERTAIN TO APPROPRIATE HIGHER AUTHORITIES OF BOTH GOVERNMENTS. AMBASSADOR SULLIVAN ACKNOWLEDGED THAT THE USE OF THE FACILITIES SHOULD BE PROPERLY TAKEN UP BY THE TWO PANELS AND POSSIBLY BE WORKED OUT THROUGH AN APPROPRIATE EXCHANGE OF NOTES.

AMBASSADOR SULLIVAN ALSO STATED THAT THE CONSULTATION PROCEDURE IN THE USE OF THE BASES INVOLVING COMBAT OPERATIONS AS PROVIDED FOR IN THE SERRANO-BOHLEN AGREEMENT HAD WORKED WELL FOR BOTH GOVERNMENTS, AND THAT IN ACTUAL PRACTICE THE CONFIDENTIAL

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UNITED STATES HAD NOT ACTED AGAINST THE WISHES OF THE PHILIPPINE GOVERNMENT. SENATOR PELAEZ REPLIED THAT "CONSULTATION" REALLY MEANT WITHOUT CONSENT BECAUSE THE UNITED STATES COULD STILL ACT EVEN AGAINST THE WISHES OF THE PHILIPPINE GOVERNMENT, AND THAT THE PHILIPPINE POSITION WOULD ONLY FORMALIZE THE ACTUAL PRACTICE FOLLOWED BY THE TWO GOVERNMENTS ON THE MATTER AS STATED BY THE UNITED STATES PANEL.

"THE PANELS AGREED THAT THE TWO CHAIRMEN WOULD MEET PRIVATELY TO DISCUSS THE CONSULTATION/CONSENT ISSUE FURTHER.

"AMBASSADOR ROMUALDEZ INFORMED THE U.S. PANEL THAT THE PHILIPPINE PANEL INTENDED TO PURSUE THE RELINQUISHMENT OF THE SAN MIGUEL, WALLACE AND JOHN HAY FACILITIES, AND THAT FOR THE PURPOSE OF THESE TALKS, THE PHILIPPINE PANEL WAS DISCUSSING ONLY CLARK AIR BASE AND SUBIC BAY NAVAL BASE.

"THE U.S. PANEL EXPLAINED ITS VIEW THAT THE WALLACE AND SAN MIGUEL FACILITIES ARE INTEGRAL TO THE OVERALL FUNCTIONS OF CLARK AND SUBIC, AND THAT RELINQUISHMENT OF THESE FACILITIES IN THE CONVENTIONAL SENSE OF THE TERM WOULD RESULT IN A SERIOUS HAMPERING OF U.S. OPERATIONS AT THE BASES.

"AMBASSADOR ROMUALDEZ RESTATED THE PHILIPPINE DESIRE NOT TO HAMPER U.S. OPERATIONS, AND INDICATED THAT SOME ARRANGEMENTS MIGHT BE POSSIBLE TO ALLOW CONTINUED U.S. USE OF WALLACE AND SAN MIGUEL, BUT ONLY IF THESE FACILITIES WERE UNDER THE FULL CONTROL OF THE PHILIPPINES. HE STATED THAT SUCH ARRANGEMENTS SHOULD BE OUTSIDE OF THE NEW BASES AGREEMENT. AMBASSADOR SULLIVAN REPEATED THAT WALLACE AND SAN MIGUEL WERE ESSENTIAL TO THE OPERATION OF CLARK AND SUBIC AND SHOULD BE INCLUDED AS FACILITIES IN THE BASES AGREEMENT. AMBASSADOR ROMUALDEZ STATED THAT IN THE PHILIPPINE PANEL'S VIEW, THE FACILITIES AND/OR EQUIPMENT IN THE WALLACE AIR STATION AND THE SAN MIGUEL COMMUNICATIONS STATION SHOULD BE TRANSFERRED TO THE RESPECTIVE AREAS DESIGNATED FOR USE AT SUBIC NAVAL BASE AND CLARK AIR BASE. HE LATER MODIFIED THIS VIEW TO STATE THAT THE FACILITIES AT WALLACE AND SAN MIGUEL COULD CONTINUE TO BE USED BY THE U.S., PROVIDED THEY

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WERE UNDER PHILIPPINE CONTROL. AMBASSADOR SULLIVAN SAID THE DEFINITION OF "CONTROL" WOULD BE CENTRAL TO THE U.S. REACTION TO THIS STATEMENT.

"THE PANELS AGREED, AFTER A SHORT RECESS, TO ADJOURN AND CONVENE THE WORKING GROUPS. THE SESSION ADJOURNED AT 11:15 A.M. END QUOTE.

SULLIVAN

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NNN

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